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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Apr 11, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

SUNSERRA AT CRESENT BAR  
HOMEOWNERS ASSOCIATION, a  
Washington non-profit corporation,  
Plaintiffs,  
v.  
CONTINENTAL WESTERN  
INSURANCE COMPANY, an Iowa  
company; PHILADELPHIA INDEMNITY  
INSURANCE COMPANY, a  
Pennsylvania company,  
Defendants.

No. 2:21-CV-00321-SAB

**ORDER DISMISSING CROSS-  
CLAIMS**

Before the Court is the parties' Stipulated Motion to Dismiss Cross Claims, ECF No. 22. The parties stipulate and request the Court dismiss the cross-claims between Defendants Continental Western Insurance Company ("CWIC") and Philadelphia Indemnity Insurance Company ("Philadelphia"), with each party bearing its own fees and costs. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) and the joint wishes of the parties, the Court finds good cause to grant the motion and dismiss the requested claims.

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**ORDER DISMISSING CROSS-CLAIMS # 1**

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. The parties' Stipulated Motion to Dismiss Cross Claims, ECF No. 22,  
3 is **GRANTED**.

4 2. Defendant CWIC's Cross-Claims at ¶ 3.2 (request for a declaration  
5 regarding investigative costs) and at ¶¶ 4.2, 4.5 (claims for equitable contribution  
6 and/or unjust enrichment) are **DISMISSED with prejudice**.

7 3. All remaining cross-claims between CWIC and Philadelphia are  
8 **DISMISSED without prejudice**.

9 **IT IS SO ORDERED.** The District Court Clerk is hereby directed to file  
10 this Order and provide copies to counsel.

11 **DATED** this 11th day of April 2022.



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15 Stanley A. Bastian

16 Stanley A. Bastian  
17 Chief United States District Judge  
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**ORDER DISMISSING CROSS-CLAIMS # 2**